



South Dakota One Call Notification Board

Larry Englerth
Executive Director

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TO: WADE PETERSON

FROM: SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

RE: NOTICE OF COMPLAINT; DEADLINE FOR ANSWER;

In the Matter of the Complaint OC03-003 filed by Crooks Municipal Utilities against Wade Peterson & Peterson Farms regarding a failure to provide notification of proposed excavation as required by SDCL 49-7A-5 and a failure to provide notification of damage to an underground facility as required by SDCL 49-7A-12.

You are hereby notified that the enclosed complaint as referenced above has been filed with the South Dakota One Call Notification Board against Wade Peterson & Peterson Farms. Pursuant to SDCL 49-7A-23 & SDCL 49-7A-24, you are required to answer this complaint in writing, no later than the close of business on June 6, 2003, by filing the original and two copies of the answer at the address listed below and by serving a copy on the complainant.

South Dakota One Call Notification Board
500 East Capitol Ave.
Pierre, SD 57501-5070

Your answer should be as thorough and detailed as possible and should include any documentation that supports your position e.g. witness statements, pictures, etc. Information provided in the complaint and your answer will be the primary considerations made by a Committee of the South Dakota One Call Notification Board when it determines if any violation of the South Dakota statute or administrative rules has occurred. If any financial penalties are assessed in response to Complaint OC03-003, they will be based on the factors noted in SDCL 49-7A-26.

A copy of the Operations Manual for Facility Operators and Excavators is enclosed. The South Dakota One Call Statute is reprinted in this manual starting on page 25 with the penalty section starting at the bottom of page 29. We would encourage you to review this material prior to completing your response.

Procedural questions on this matter may be directed to Larry Englerth, Executive Director to the South Dakota One Call Notification Board, at 605-339-0529 or by email to exedir@sdonecall.com.

Enclosure

cc: Ginny Beck, Crooks Municipal Utilities, Complainant